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REMARKS

Applicant appreciates the thorough examination of the application that is reflected in the final Office Action dated July 23, 2004. Applicant thanks Examiner Lee for the telephone interviews of August 10 and August 12, 2004. Claims 1-56 are pending in the application. Applicant respectfully requests reconsideration of the application and incorporates all of the arguments set forth in the previous response into this response. In addition, Applicant responds to the Examiner's "Response to Arguments" at pages 8-10 of the final Office Action.

Art-based Rejections

The Official Action rejects claims 1, 4, 5, 6, 9, 11, 14, 15, 16, 19, 21-25 and 26-46 under 35 U.S.C. 102(e) as being anticipated by Sato, rejects claims 2, 3, 12 and 13 under 35 U.S.C. 103(a) as being unpatentable over Sato, rejects claims 7, 10, 17, and 20 under 35 U.S.C. 103(a) as being unpatentable over Sato further in view of Honkasalo, rejects claims 8 and 18 under 35 U.S.C. 103(a) as being unpatentable over Sato in view of Honkasalo further in view of Segure et al. (USPN 6,360,076), and rejects claims 47-56 under 35 U.S.C. 103(a) as being unpatentable over Sato in view of Cheng et al. (USPN 6,393,008).

Applicant respectfully disagrees and traverses these rejections for at least the following reasons.

1. *The cited references fail to teach or suggest "generating an identifier for a group of subscribers, wherein the identifier is for accessing a multi-cast service."*

In the previous response, Applicant asserted that the cited references fail to teach or suggest, for example, "generating an identifier for a group of subscribers, wherein the identifier is for accessing a multi-cast service," as required by claim 1. In response, the Examiner states:

In response to Applicant's argument that the system of Sato et al. does not generate an identifier, the Examiner respectfully disagrees. Applicant argues that Sato et al. is actually talking about a broadcast-type system and not a multicast system, and Applicant cites paragraph 0057 of Sato et al. as evidence. The Examiner believes this assertion is incorrect. Sato et al. clearly contemplates a multicast system as one skilled in the art would understand. In paragraphs 0061-0062, Sato et al. explicitly states that the "wireless base station 20 takes into account...some of the measured results...from the wireless terminal 10 that *requested* the multicast information." These two paragraphs indicate that the base station only sends this information if the terminal requested it, which means that the base station does not send to every terminal. Because the base station only sends the

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information to terminals that have requested the information, the base station is not broadcasting and is instead multicasting. Thus, the Examiner believes the rejection remains proper.

In Sato, it is unnecessary to generate an identifier for each subscriber since the “transceiver 21 carries out wireless communication with each wireless terminal 10 residing in the service area Es.” See Sato at paragraph [0057]. In addition, in paragraph 19 of the Office Action, the Examiner acknowledges that “the base station only sends this information if the terminal requested it, which means that the base station does not send to every terminal.” Applicants therefore submit that Sato does not suggest that an identifier is provided to the terminals for accessing the multicast service.

During the telephone interview of August 12, 2004, Examiner Lee stated that paragraph [0061] of the Sato reference discloses the claimed identifier. However, as Applicant noted during the telephone interview, paragraph [0061] of the Sato reference does not disclose the claimed identifier, but rather teaches that “transmission conditions of multicast information” specify “requirements for the transmission of multicast information to the wireless terminal.” Applicant submits that the Office is impermissibly interpreting the term “identifier” of claim 1 in a manner that is not consistent with the specification. Applicant further submits that the Office’s interpretation of this term not consistent with an interpretation that would be understood by those skilled in the art. See MPEP §2111.

For example, the Application describes an embodiment of the “identifier” for accessing a multi-cast service, at ¶ [1023] of the specification which discusses that:

One piece of control information that is transmitted to the remote station is a medium access control identifier (MAC_ID). MAC_IDs are assigned to remote stations in accordance with a unique International Mobile Station Identify (IMSI) when the remote stations enter the communication system. Hence, the channel that is dedicated to the remote station can be identified by the MAC_ID that is assigned to the remote station. (Emphasis added.)

Because the Office impermissibly interprets the term “identifier” in a manner that is inconsistent with both the specification and with an interpretation that would be understood by those skilled in the art, Applicant submits that Sato reference fails to teach or suggest, for example, “generating an identifier for a group of subscribers, wherein the identifier is for

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accessing a multi-cast service," as recited in claim 1. Applicant submits that the other cited references are similarly deficient.

Accordingly, Applicant respectfully submits that the cited references fail to teach or suggest, for example, "generating an identifier for a group of subscribers, wherein the identifier is for accessing a multi-cast service," as required by claim 1. Each of the independent claims requires the claimed identifier. Accordingly, Applicant submits that all of the pending claims in the application are patentable.

2. *The cited references fail to teach or suggest "using channel quality information for at least one subscriber to determine the timing of the multi-cast service to the group of subscribers" or that "the multi-cast service is transmitted to each of the subscribers in accordance with the timing determined by the channel quality information."*

In the previous response, Applicant asserted that the cited references fail to teach or suggest, for example, that "the multi-cast service is transmitted to each of the subscribers in accordance with the timing determined by the channel quality information," or "using channel quality information for at least one subscriber to determine the timing of the multi-cast service to the group of subscribers," as required by claim 1.

By contrast, in Sato the subscribers are classified into groups that use different transmission formats. For example, as shown in FIG. 8 of Sato, the subscribers are split into two groups, and the base station transmits differently to each group at different times. *See* Sato at paragraphs [0073 through 0075]. As such, Sato and the other cited references fail to teach or suggest, for example, that "the multi-cast service is transmitted to each of the subscribers in accordance with the timing determined by the channel quality information."

Claim 1 also requires "using channel quality information for at least one subscriber to determine the timing of the multi-cast service to the group of subscribers." This can allow the base station/network to select the best timing for transmitting to the subscriber with the worst reception quality. Sato does not suggest using reception quality information to determine the best timing for transmitting to the subscriber with the worst reception quality.

Applicant respectfully submits that the cited references fail to teach or suggest, for example, "using channel quality information for at least one subscriber to determine the timing of the multi-cast service to the group of subscribers," or that "the multi-cast service is transmitted to

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each of the subscribers in accordance with the timing determined by the channel quality information," as required by claim 1. Accordingly, Applicant submits that all of the pending claims in the application are patentable for at least this additional reason. Applicant submits that the other cited references are similarly deficient.

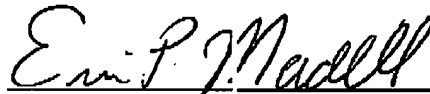
REQUEST FOR ALLOWANCE

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

Dated: August 25, 2004

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